

Entered - 8-19-98 - sb
CL 98L0560 - GWENDOLYN BURNS

CLAIM OF: **SHANNON D. KRAJCA**
through her attorneys
**DEMING, PARKER, HOFFMAN, GREEN &
CAMPBELL, P.C.**
4851 Jimmy Carter Boulevard
Norcross, Georgia 30093

00- R -1590

For bodily injuries alleged to have been sustained from an automobile collision on June 3, 1998 at North Avenue & Arnold Street.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **SHANNON D. KRAJCA through her attorneys, DEMING, PARKER, HOFFMAN, GREEN & CAMPBELL, P.C.** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of an automobile collision on June 3, 1998 at North Avenue & Arnold Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0560

Date: September 28, 2000

Claimant /Victim SHANNON D. KRAJCA
BY: (Atty) (Ins. Co.) DEMING, PARKER, HOFFMAN, GREEN & CAMPBELL, P.C.
Address: 4851 Jimmy Carter Boulevard, Norcross, Georgia 30093
Subrogation: Claim for Property damage \$ Bodily Injury \$ 10,000.00
Date of Notice: 8/12/98 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/3/98 Place: North Avenue, & Arnold Street
Department POLICE Division
Employee involved Carlo T. Peek Disciplinary Action: Verbal Reprimand

NATURE OF CLAIM: Claimant sustained bodily injuries when her vehicle was backed into by a City police vehicle that was left unattended. The City employee was cited for same.

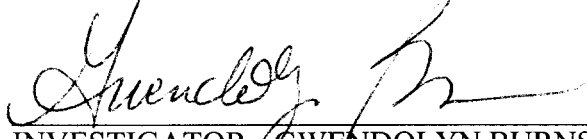
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager:  Concur/date 09-28-00
Committee Action: Council Action

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LAW OFFICES
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ROBERT M.N. SHAKER

ENTERED - 8-19-98 - SB
98L0560 - GWEN BURNS
August 6, 1998

CERTIFIED MAIL # P 178 011 147

Mayor William Campbell
City Hall, Suite 2400
55 Trinity Avenue, SW
Atlanta, Georgia 30335

Dear Mayor Campbell:

This letter is service Ante Litem notice pursuant to O.C.G.A. §36-33-5. On or about June 3, 1998 at 4:55 a.m., my client, Shannon Krajca, was heading east on North Avenue when her vehicle was struck by a police car from the City of Atlanta Police Department. Officer Carlo T. Peek was apparently attempting to leave his vehicle to chase a suspect on foot. Unfortunately, Officer Peek did not stop his vehicle thereby causing a collision with my client's vehicle and my client subsequent collision with a utility pole. My client, Shannon Krajca, suffered severe injuries including facial lacerations and number contusions to her person. This is to put you on notice that we intend to pursue a claim against the City of Atlanta with a value in excess of \$10,000.00.

For your information and review, please find enclosed a copy of the Motor Vehicle Accident Report and the City of Atlanta Property Damage Report completed by Officer Carlo T. Peek. If you have any questions, please do not hesitate to contact the undersigned to discuss this very important matter.

Very truly yours,



Christopher W. T. Daly
Attorney at Law

CWTD/dcb
Enclosures

GENERAL RELEASE AND INDEMNIFICATION

\$ 1,000.00

9810560

INDemnIFICATION of the sum of ONE THOUSAND DOLLARS & NO/100
to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
accepted by, for myself, my heirs, executors, administrators, and assigns, release and
its officers and employees, including but not limited to
claims, demands, actions, causes of action, suits, damages, loss and
for or on account of anything that has heretofore occurred, and
a vehicular collision

June

, 1998,

The above named sum is not to be
servants or employees, of ar
indemnify and hold harml
claims, damages or c
upon to m

GENERAL RELEASE AND INDEMNIFICATION

NO. 98L0560

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND DOLLARS & NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and
forever discharge said City, its officers and employees, including but not limited to
Terrell C. Peek, from any and all claims, demands, actions, causes of action, suits, damages, loss and
expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and
particularly for or on account of a vehicular collision

which occurred on or about the 3rd day of June, 1998,


at or near North Avenue and Arnold Street

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 9 day of May, ~~19~~ 2000

Shannon Krajca (LS)



Christopher W. T. Daly, Attorney

The above release was read and explained to, and signed by the said Sharon Krjca

in our presence on the date above written.

Nicola S. Kinton
Witness